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TELECOPY COVER SHEET

TO: EXAMINER: ULA RUDDOCK - ART UNIT: 1771

CLIENT NUMBER: 64908

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FROM: PAUL J. DITMYER, ESQ.

DATE: October 22, 2002

NUMBER OF PAGES (INCLUDING COVER SHEET): 18

COMMENTS/INSTRUCTIONS:

Re: U.S. Patent Application Serial No. 09/680,721

Please see attached amendment.

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Case No. 64908DIRECTOR, U.S. PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231

In Re Application of: GREGG ET AL.

Serial No.: 09/680,721

Filed: 10/6/00

For: BACKERBOARD SHEETS INCLUDING AERATED CONCRETE

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small entity status of this application under 37 CFR § 1.27 has been established by a verified statement previously submitted

A verified statement to establish small entity status under 37 CFR § 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

FOR:	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY		LARGE ENTITY	
				RATE	Fee	RATE	Fee
TOTAL CLAIMS	37	53	0	X 9	\$	X 18	\$
INDEPT CLAIMS	4	4	0	X 42	\$	X 84	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ 135	\$	+ 270	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For: IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN

Please associate this application with Customer No. 27975.



27975

PATENT TRADEMARK OFFICE

PAUL J. DITMYER
REG. NO. 40,455

October 22, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
GREGG ET AL.)
Serial No. 09/680,721) Examiner: U. Ruddock
Filing Date: OCTOBER 6, 2000) Art Unit 1771
For: BACKERBOARD SHEET INCLUDING)
AERATED CONCRETE CORE)

AMENDMENT

Director, U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Responsive to the Office Action of July 22, 2002,
please enter the amendments and consider the remarks set forth
below.

In the Claims:

Please amend the claims as follows (a clean copy of
all the pending claims is included here for the Examiner's
convenience).

1. (Amended) A backerboard sheet for moist areas
and comprising:
 a core having opposing first and second major
 surfaces;
 said core comprising a monolithic body of autoclaved
 aerated concrete; and
 at least one moisture-resistant resin face layer on
 at least one of the first and second major surfaces of said
 core, said at least one moisture-resistant resin face layer
 being substantially continuous and blocking moisture
 penetration to said core.